

Chapter 17A, Arts Commission, is hereby amended in its entirety to read as follows:

Chapter 17A

ARTS AND CULTURE COMMISSION

§ 17A-1. Commission; Purpose.

There shall be a Commission known as the "Norwalk Arts and Culture Commission" (the "Commission"). The purpose of the Commission shall be to serve as stewards for the City of Norwalk's public art collection and cultural assets. The Commission shall also promote the educational, cultural, economic, and general welfare of the public through the marketing of arts and cultural attractions, as well as encourage, facilitate, and cooperate with artists and artistic and cultural enterprises and organizations for the development of the creative, performing, and visual arts as well as cultural activities in the City of Norwalk. The Commission shall be deemed a "cultural district commission" for purposes of Section 10-401a of the Connecticut General Statutes, as the same may be amended from time to time (the "Act").

§ 17A-2. Definition.

"Cultural District" means each area within the City of Norwalk designated by the Common Council from time to time as a Cultural District in accordance with the provisions of the Act. A map of each Cultural District as so designated shall be available from the Department of Economic and Community Development or other Department designated by the Mayor.

§ 17A-3. Membership.

- A. The Commission shall consist of nine regular members appointed by the Mayor with the consent of the Common Council. All regular members shall be electors of the City of Norwalk, and a majority of the regular members must live or work in a Cultural District.
- B. Not less than seven regular members of the Commission must represent the Norwalk arts and culture community, including at least one representative from each of the following categories:
 - (1) local cultural or arts council,
 - (2) cultural organizations (i.e., historical society, museum, ethnic heritage organization),
 - (3) artists that live and/or work in a Cultural District,
 - (4) organizations that represent artists (artist cooperative, etc.), if applicable,
 - (5) for-profit creative businesses (i.e., theatre or gallery), and

(6) local business and/or chamber of commerce.

Any regular member of the Commission may represent more than one of the foregoing categories.

- C. Regular members shall be designated to serve staggered three-year terms. Any regular member may be removed by the Mayor for failure to attend three or more meetings of the Commission, without reasonable excuse, within a calendar year. Any vacancy for any reason in the position of a regular member shall be filled by the Mayor with the consent of the Common Council for the unexpired portion of the term of the member whose place becomes vacant.
- D. The Commission may also include up to three ex officio members, appointed by the Mayor with the consent of the Common Council. Each ex officio member must be affiliated with a Norwalk arts and cultural organization, but need not be an elector of the City of Norwalk. Ex officio members may fully participate in meetings of the Commission, but without being counted towards quorum requirements and without the right to vote. Ex officio members shall be appointed for three-year terms. Any ex officio member may be removed by the Mayor for the failure to attend three or more meetings of the Commission, without reasonable excuse, within a calendar year. Any vacancy for any reason in the position of an ex officio member may be, but is not required to be, filled by the Mayor, with the consent of the Common Council, for the unexpired portion of the term of the ex officio member whose place becomes vacant.

§ 17A-4. Officers; Operation.

- A. The Mayor shall appoint a Chair and Vice Chair of the Commission who shall each serve for a term of three years or until the earlier of their resignation, death, removal, or the expiration of their term on the Commission. No Chair or Vice Chair shall serve more than two consecutive terms in such position.
- B. The Chair shall be responsible for presiding over meetings of the Commission, establishing a meeting schedule, and appointing members to any subcommittee(s) established by the Commission. The Vice-Chair shall chair meetings in the event of absence of the Chair.
- C. The Business Development and Tourism Department, or other Department designated by the Mayor, shall provide administrative support to the Commission.

Section 17A-5. Powers and Duties.

- A. The Commission shall have such powers and duties as may be necessary or desirable for the purpose of carrying out the provisions of the Act and as may otherwise be designated by the Common Council from time to time. In furtherance of the foregoing, but not by way of limitation, the Commission shall:

(1) Assist the Mayor and Common Council in the determination and

establishment of Cultural Districts;

- (2) Prepare and maintain an inventory and asset map of the cultural and artistic resources of the City by each subject deemed to be of significance by the Commission; and
- (3) Develop and manage an Arts and Cultural Plan as a guiding document for the Commission, which shall include, but not be limited to, the following:
 - (a) the goals and objectives of the Commission, including goals and success measures for Cultural Districts,
 - (b) a management plan for the maintenance and preservation of the City's arts and cultural resources, and
 - (c) a marketing plan for the promotion of the City's arts and cultural resources.

B. In no event shall the acts or proposed acts of the Commission conflict with the lawful designated duties of any other body or commission of the City of Norwalk.

§ 17A-6. Acceptance of Public Art.

- A. The Commission shall review any proposed gift or donation to the City of any piece of Public Art (as defined below) and make a recommendation to the Mayor and Common Council as to whether such gift or donation should be accepted or rejected and, if accepted, the proposed location of such piece of Public Art in the City. Upon receipt of such recommendation, which shall not be binding on the Mayor or Common Council, the Mayor and Common Council shall review and make a determination as to whether to approve such gift or donation, including the proposed location of such gift or donation, in accordance with City and Common Council policy and procedures.
- B. For purposes of this Chapter, the term "Public Art" means works of art in all artistic disciplines that are created or designed for, built, or displayed in a community space and accessible to all (public) for the benefit of residents and visitors. Public art may include murals, sculptures, temporary installations, art shows, and festivals and other types of artistic expression.

§ 17A-7. Establishment of the Norwalk Arts and Cultural District Account; Investment.

- A. There is hereby established an account known as the Norwalk Arts and Cultural District Account (the "Cultural District Account"). The Cultural District Account is established under authority of the Connecticut General Statutes for the exclusive purpose of funding activities in a Cultural District that implement or promote the purpose of this Chapter. The Account shall consist of the following:

- (1) Funds attributable to sponsorships or underwriting of specific cultural or artistic events and/or programming within a Cultural District. Such sponsorships or underwriting shall be approved in accordance with City and Common Council policy and procedures; provided, however, that such approval shall not be required for any individual sponsorship or underwriting that does not exceed \$20,000 in the aggregate;
 - (2) Any funds from any source designated to be added to the Cultural District Account to be used exclusively for cultural or artistic events and/or programming within a Cultural District; and
 - (3) All investment income earned by the Cultural District Account.
- B. All of the monies in the Cultural District Account shall at all times be subject to withdrawal for use as provided in this Chapter. All or any part of the monies in the Cultural District Account may be invested in any manner in which public funds may be lawfully invested. No sums contained in the Cultural District Account, including interest and dividends earned, shall be transferred to any other account within the City budget or used for any purpose not provided for in this Chapter.
- C. Any budget proposed by the Mayor or approved by the Common Council, and any appropriation made for the arts and cultural enrichment of the City, shall not be reduced, ratably or otherwise, in consideration of any moneys in the Cultural District Account. Expenditures from the Cultural District Account shall add to and not replace budgets and appropriations which also serve the purposes of the Cultural District Account.
- D. The continuation of the Cultural District Account shall be perpetual notwithstanding that from time to time said account may be unfunded. Funds in the Cultural District Account shall not lapse at the end of the City's fiscal year.

§ 17A-8. Expenditures from the Cultural District Account; Administration.

- A. Any funds held in the Cultural District Account pursuant to Section 7(A)(1) of this Chapter shall be expended in accordance with the terms of the applicable sponsorship or underwriting. All other funds held in the Cultural District Account shall be expended in accordance with (1) the Arts and Cultural Plan and (2) any applicable guidelines prepared by the Business Development and Tourism Department and approved by the Common Council.
- B. No expenditure of funds from the Cultural District Account shall be in excess of the available balance in the fund.
- C. No officer or employee of the City, or any member of their immediate family, may receive a financial benefit from or have a direct or indirect personal or financial conflict of interest in any Person that receives funds from the Cultural District

Account. Terms used in this subparagraph not otherwise defined in this Chapter shall have the meanings given in § 32-3 of the Norwalk City Code, as the same may be amended.

§ 17A-9. Cultural District Account Reporting.

The Chief of Economic and Community Development or their designee shall, on an annual basis or as otherwise requested by the Common Council, prepare and deliver a written report to the Common Council of the amount in the Cultural District Account and deposits and expenditures therefrom.

Effective Date.

The foregoing amendments to Chapter 17A shall be effective July 1, 2023.